

*This opinion is subject to administrative correction before final disposition.*

United States Navy - Marine Corps  
Court of Criminal Appeals

Before  
STEPHENS, DEERWESTER, and STARITA  
Appellate Military Judges

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**UNITED STATES**  
*Appellee*

v.

**Joshua A. WESTPHAL**  
Corporal (E-4), U.S. Marine Corps  
*Appellant*

**No. 202000220**

Decided: 31 March 2021

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge:  
Andrea C. Goode

Sentence adjudged 20 August 2020 by a general court-martial convened at Marine Corps Base Camp Pendleton, California, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-1, confinement for 18 months, and a bad-conduct discharge.

For Appellant:  
*Lieutenant Colonel Michael D. Berry, JAGC, USN*

For Appellee:  
*Brian K. Keller, Esq.*

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**This opinion does not serve as binding precedent under  
NMCCA Rule of Appellate Procedure 30.2(a).**

*United States v. Westphal*, NMCCA No. 202000220  
Opinion of the Court

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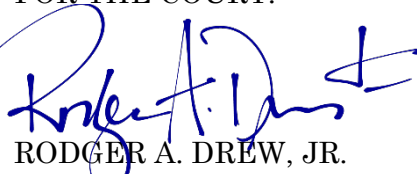
PER CURIAM:

After careful consideration of the record, submitted without assignment of error, we have determined that the findings and sentence are correct in law and fact and that no error materially prejudicial to Appellant's substantial rights occurred. Uniform Code of Military Justice arts. 59, 66, 10 U.S.C. §§ 859, 866.

The findings and sentence are **AFFIRMED**.



FOR THE COURT:

  
RODGER A. DREW, JR.  
Clerk of Court